

Notice of Allowability

Application No.

10/056,876

Applicant(s)

JAFJE, STANLEY EDWARD

Examiner

Art Unit

Raymond J. Bayerl

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to papers filed 14 July 2005.
2. ☒ The allowed claim(s) is/are 1 - 3, 6 - 11, 13 - 20.
3. ☒ The drawings filed on 25 January 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173

29 August 2005

1. The following is an examiner's statement of reasons for allowance:

The Examiner has carefully considered applicant's independent claims 1, 9, 16, as amended, and is in agreement with the applicant; that the "signal waveform" "display" arrangement in which "selection" of "parameters for the displayed signal waveform" from a "menu", in conjunction with "locations" that "are selected by the user using the pointing device" "after selection of the parameter", "adjusts values for the parameter" (claim 1 quoted as exemplary) is not obvious in view of the combination of Alexander (US #6,201,384 B1) and Lewis et al. (US #5,381,524) under 35 USC 103. Specifically, although the Lewis interface permits for parameters relating to a waveform display to be selected for adjustment via a menu, the environment of Lewis is that of a design-authoring platform for the initial specification of signals, and thus would not have presented a reasonable option to a person having ordinary skill within the signal measurement and instrumentation art that is seen in Alexander and the present invention.

Though it has been previously noted that Alexander '384 does not use a menu prior to pointing device selection for rescaling, Alexander (US #6,522,345 B1) does include a menu for further processing that is presented in the context of a waveform display upon which positions may be indicated. However, Alexander '345's menu is for the selection of measurements to be applied to a signal, and thus does not reasonably read upon adjusting "a plurality of parameters for the displayed signal waveform" (i.e., those parameters that are for the display itself, and not some other use).

During further search the Examiner also noted that in Biagiotti (US #6,502,045 B1), a "region of interest" can be selected for the application of analytic evaluation tools, but this has a deficiency similar to Alexander '345, in that any tool that might be accessible by a menu in the Biagiotti display is for the setting of a processing procedure that does not result in the setting of actual "parameters for the displayed signal waveform". On the other hand, Ilic (US #2002/0063712 A1), in the provision of a virtual magnifying symbol (figs 5b, 5c) **does** disclose the imposition of these "parameters", only there is no suggestion that a "menu" be employed for this purpose, prior to selection via a pointer—only that the user may also select (by some unspecified method) a desired magnification for the magnified portion of the signal waveform (paragraph [0029]).

2. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raymond J. Bayerl whose telephone number is (571) 272-4045. The examiner can normally be reached on M - Th from 9:00 AM to 4:00 PM ET.

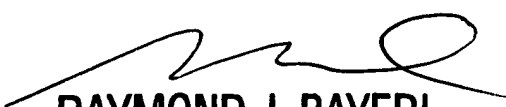
4. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached on (571) 272-4048. All patent application related correspondence transmitted by FAX **must be directed** to the central FAX number (571) 273-8300.

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5. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.



RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173

29 August 2005